

REMARKS AND ELECTION

Applicant hereby cancels claims 5-38 and 54 without prejudice or disclaimer. As a result claims 1-4 remain pending for examination with claim 1 being an independent claim. No new matter has been added.

Applicant submits that the species election requirement is obviated in view of the present amendment, because the species election related to aspects of the invention that were specifically recited in presently canceled claims that recited administering both a CpG nucleic acid and an additional composition (e.g., an anti-HIV therapy, a cytokine, a chemokine, or a non-steroidal anti-inflammatory agent). In contrast, the pending claims recite administering a CpG nucleic acid but do not specifically recite administering an additional composition.

However, if the species election requirement is maintained, Applicant elects the following species: 1) an inhibitor of HIV replication; 2) HAART; 3) claim 18; 4) RANTES; and 5) Piroxicam. Applicant submits that all of the pending claims (claims 1-4) read on the elected species.

Applicant further acknowledges that if the species election requirement is maintained, Applicant will be entitled to consideration of claims to additional species upon allowance of a generic claim.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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